

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JOE MCKENNEY**, on February 4, 2003 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Joe McKenney, Chairman (R)
Rep. Donald Steinbeisser, Vice Chairman (R)
Rep. Bob Bergren (D)
Rep. Rod Bitney (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Nancy Fritz (D)
Rep. Dave Gallik (D)
Rep. Kathleen Galvin-Halcro (D)
Rep. Ray Hawk (R)
Rep. Bob Lawson (R)
Rep. Rick Maedje (R)
Rep. Gary Matthews (D)
Rep. Scott Mendenhall (R)
Rep. Penny Morgan (R)
Rep. Allen Rome (R)
Rep. Sandy Weiss (D)
Rep. Bill Wilson (D)

Members Excused: Rep. Jim Keane, Vice Chairman (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Alberta Strachan, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 462 (1/30/03); HB 488 (1/31/03)
Executive Action: HB 434 Table

Supplementary written testimony was provided by Greg Van Horssen regarding HB 332 and HB 184.

EXHIBIT (buh24a01)

HEARING ON HB 488

Sponsor: REP. CAROL C. JUNEAU, HD 85, Browning

Opening Statement by Sponsor:

REP. JUNEAU said this bill was an act revising licensure provisions for addiction counselors, phasing out the granting of licensure to those with Associate Degrees.

{Tape: 1; Side: A; Approx. Time Counter: 36 - 75}

Proponents' Testimony:

Don Simpson, President, Montana Association for Alcohol and Drug Abuse Counselors, provided written testimony.

EXHIBIT (buh24a02)

{Tape: 1; Side: A; Approx. Time Counter: 75 - 108}

Phil Tambornino, President-Elect, Montana Association of Alcohol and Drug Abuse Counselors, provided written testimony.

EXHIBIT (buh24a03)

{Tape: 1; Side: A; Approx. Time Counter: 108 - 159}

Opponents' Testimony:

Mike Ruppert, CEO, Boyd Andrew Community Services, said he opposes this bill. This bill will result in fewer people being eligible to be counselors. There are numerous vacancies throughout the state that are very difficult to fill. There is no correlation between a college degree and the quality of counselors.

{Tape: 1; Side: A; Approx. Time Counter: 159 - 208}

Don Hargrove, Montana Addictive Services Providers, said this is an extremely critical function that is provided. He said this bill has inconsistencies.

{Tape: 1; Side: A; Approx. Time Counter: 208 - 257}

Christie Blazer, Rimrock Foundation, said this bill poses a serious threat to the industry. Many of the counselors currently working in the field have Bachelor Degrees in other areas of

education. Many of these people would not be able to be licensed as chemical dependency counselors.

{Tape: 1; Side: A; Approx. Time Counter: 257 - 293}

Informational Testimony:

Mike Barrett, Helena resident.

Questions from Committee Members and Responses:

REP. BERGREN asked Ms. Rukenbach if any of the universities or colleges allow for this type of training. **Ms. Rukenbach** distributed a list of schools offering chemical dependency counseling.

EXHIBIT (buh24a04)

{Tape: 1; Side: A; Approx. Time Counter: 330 - 500}

Closing by Sponsor:

The sponsor closed.

{Tape: 1; Side: B; Approx. Time Counter: 1 - 70}

HEARING ON HB 462

Sponsor: REP. CLARICE SCHRUMPF, HD 12, Billings

Opening Statement by Sponsor:

REP. SCHRUMPF said this bill was an act providing for the licensure of abortion facilities, defining an "abortion facility," providing for a license fee, authorizing the Department of Public Health and Human Services to adopt rules for the licensure of abortion facilities.

{Tape: 1; Side: B; Approx. Time Counter: 93 - 117}

Proponents' Testimony:

Greg Trude, Executive Director, Montana Right To Life, said this bill does not, in any way, take away from a woman's constitutional right. This bill is about showing the double standards for health oriented facilities. There are no standards for abortion clinics. He then provided testimony on the Documentation of Abortion; Emergency Medical Services; Montana Sanitation Standards for Tattooing, Permanent Makeup and Body Piercing; Body Art and Cosmetics; Montana Board of Veterinary Medicine Information.

EXHIBIT (buh24a05)

EXHIBIT (buh24a06)

EXHIBIT (buh24a07)

EXHIBIT (buh24a08)

EXHIBIT (buh24a09)

{Tape: 1; Side: B; Approx. Time Counter: 119 - 171}

Julie Millam, Executive Director, Montana Family Coalition, provided written testimony.

EXHIBIT (buh24a10)

{Tape: 1; Side: B; Approx. Time Counter: 171 - 246}

William D. Wise, M.D., Helena resident, explained the difference between a D&C and an abortion.

{Tape: 1; Side: B; Approx. Time Counter: 247 - 278}

Lani Candelora, Executive Director, Montana Catholic Conference, provided written testimony, and a copy of The Health Risks of Abortion.

EXHIBIT (buh24a11)

EXHIBIT (buh24a12)

{Tape: 1; Side: B; Approx. Time Counter: 279 - 387}

Jim DeClancy, Montana Eagle Forum, said his organization is a national grass roots organization. Their model is working together to build a better educated, safer, and stronger America. They are not in favor of abortion; they are a pro-life organization. No one should operate an abortion facility without licensure by the Department of Health.

{Tape: 1; Side: B; Approx. Time Counter: 388 - 416}

Harris Himes, Pastor, Big Sky Christian Center and Attorney at Law, California, said he was a proponent of this bill.

{Tape: 1; Side: B; Approx. Time Counter: 416 - Tape: 2; Side: 1; Approx. Time Counter: 5}

Chris Jones, Director, Coalition For Community Responsibility, said this bill was not a pro-life or pro-choice issue. This bill is a pro-safety issue.

{Tape: 2; Side: A; Approx. Time Counter: 5 - 19}

Tei Nash, Executive Director, Coalition For Community Responsibility, said he favored this legislation. This is a common sense bill and it is socially responsible legislation for the state.

{Tape: 2; Side: A; Approx. Time Counter: 19 - 30}

Rosemary Miller, Executive Director, Catholic Social Services, said when public money is used in the form of Medicaid, the

citizens of Montana should be assured there is a safe environment.

{Tape: 2; Side: A; Approx. Time Counter: 30 - 40}

REP. SCOTT MENDENHALL, HD 39, Helena, said he supports this bill and the previous testimony. This bill is the mechanism which makes abortion safe and legal. From a business fairness perspective, it should be properly regulated. Unfortunately, due to the argument about abortion, good healthcare standards have been mandated.

{Tape: 2; Side: A; Approx. Time Counter: 40 - 67}

REP. SYLVIA BOOKOUT-REINICKE, HD 71, Alberton, said she was shocked to know a clinic doing invasive procedures would not be regulated.

{Tape: 2; Side: A; Approx. Time Counter: 67 - 74}

Opponents' Testimony:

Morgan Sheets, Director, Montana NARAL, said this bill provided a list of major physical sequels related to abortion.

EXHIBIT (buh24a13)

{Tape: 2; Side: A; Approx. Time Counter: 74 - 199}

Jeri Duran, Intermountain Planned Parenthood, said their primary mission is to offer comprehensive reproductive health care and contraceptive supplies in settings that protect the privacy and rights of the individual. The intention of this bill is to increase costs and put up as many barriers as possible to providers.

{Tape: 2; Side: A; Approx. Time Counter: 199 - 253}

Linda Gryczan, Montana Women's Lobby, provided written testimony.

EXHIBIT (buh24a14)

{Tape: 2; Side: A; Approx. Time Counter: 253 - 290}

Beth Brenneman, Legal Director, ACLU of Montana, said women have many opportunities in Montana to bring suits for medical malpractice, medical good faith and insurance coverage.

{Tape: 2; Side: A; Approx. Time Counter: 290 - 407}

Brian Martin, Executive Director, Montana Democratic Party, said they further support and respect an individual's ability to make personal decisions regarding reproduction and child birth as constitutionally guaranteed.

{Tape: 2; Side: A; Approx. Time Counter: 407 - 456}

Informational Testimony:

Mike Barrett, Helena resident

Questions from Committee Members and Responses:

REPS. MAEDJE and MENDENHALL questioned Dr. Wise about ectopic pregnancy.

{Tape: 2; Side: B; Approx. Time Counter: 10 - 289}

Closing by Sponsor:

The sponsor closed.

{Tape: 2; Side: B; Approx. Time Counter: 290 - 338}

EXECUTIVE ACTION ON HB 434

{Tape: 2; Side: B; Approx. Time Counter: 347 - 500}

Motion: REP. BERGREN moved HB 434 DO PASS.

Motion/Vote: REP. GALVIN-HALCRO moved HB 434 AMENDMENTS. Motion carried 17-1 with REP. ROME voting no.

EXHIBIT (buh24a15)

Motion/Vote: REP. BERGREN moved CONCEPTUAL AMENDMENT. A roll call vote was taken which failed 6-12 with REPS. KEANE, BERGREN, FRITZ, GALVIN-HALCRO, WEISS, and WILSON voting yes.

Motion/Vote: REP. BERGREN moved HB 434 DO PASS AS AMENDED. A roll call vote was taken. Motion failed 6-12 with REPS. KEANE, FRITZ, GALLIK, GALVIN-HALCRO, WEISS, and WILSON voting yes.

Motion/Vote: REP. BOOKOUT-REINICKE moved HB 434 BE TABLED. Reversal of the roll call vote passed 12-6 with REPS. KEANE, FRITZ, GALLIK, GALVIN-HALCRO, WEISS, and WILSON voting no.

ADJOURNMENT

Adjournment: 11:45 A.M.

REP. JOE MCKENNEY, Chairman

ALBERTA STRACHAN, Secretary

JM/AS

EXHIBIT (buh24aad)